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SUBJECT: SUMMER WORK AND TRAVEL: VIEWS FROM CENTRAL ASIA

ASTANA 00001015 001.2 OF 003

1. SUMMARY. The Summer Work and Travel (SWT) programs of Central Asia are all tiny compared to our neighbor to the north. Nonetheless, the countries of Central Asia each have interesting insights into the program. There are few commonalities among SWT experiences in the region, which is not surprising given the tremendous variance from country to country in consular portfolios and visa issues in general. Refusal and non-return rates differ, as do program concerns and sheer size. What the region offers is a study in programs at various stages of development, from the well-established to almost non-existent. The following is a country-by-country overview of SWT programs and issues in Central Asia. END SUMMARY.

KAZAKHSTAN'S NUMBERS PLUNGE

2. After several years of rapid growth, the number of Kazakhstanis participating in the SWT program plunged by 47% in 2009, presumably due to the world financial situation. In 2008, almost 4300 students applied for the program. This year, Astana and Almaty processed only 2263 SWT applications. Anecdotally, concern over finding good jobs in the U.S. has kept some students away. Devaluation of the Kazakhstani currency has also made it more expensive for students to participate. Astana, despite processing half the number of overall nonimmigrant visa (NIV) applications as Almaty, continues to handle about 55% of SWT workload. The two consular sections felt the reduced number of 2009 applications proportionately.

3. The refusal rate for SWT applicants was 9%, up slightly from 2008. Almost all of the non-qualified applicants were graduating students. A validation study conducted after the 2008 season showed a 7% non-return rate for Kazakhstani SWT participants. Most of the students who stayed in the U.S. beyond the summer legally changed status, primarily to F1. Fraud in the program exists but is not widespread. The most serious fraud case post encountered involved a pair of coordinators from a newly-founded, independent agency who arranged for fake student documents to make themselves and two of their 17 clients appear eligible for the program despite the fact they had already graduated from university.

4. The vast majority of Kazakhstani SWT participants return home on time and report having good experiences in America. The number of students who participate for a second time is high. Popular destinations include Pensacola, Ocean City, Virginia Beach, the New Jersey shore, Alaska fisheries, and McDonald's restaurants in the Yellowstone area. About forty Kazakhstani students worked last year for Century Pool Management and are still owed back wages from the bankrupt company. Their plight has received attention from the Kazakhstani Embassy in Washington and the Ministry of Foreign Affairs in Astana.

KYRGYZSTAN - IT'S CERTAINLY NO KAZAKHSTAN

15. Where other sectors of the world economy record slumps in the past two years, SWT programs in Kyrgyzstan grow in leaps and bounds. FY 2008 reported a 275% increase in the number of applicants compared to the previous year. Even in the face of the current economic crisis, SWT applications for FY 2009 have decreased an estimated 13% only compared to the near 50% decreases reported in other neighboring Central Asian countries. However post finds this year that many of the applicants cannot speak sufficient English to perform their chosen jobs - especially for the most popular job of lifeguard - or do not have realistic plans about their ability to support themselves once in the United States and earning minimum wage. This is evidenced by the high number of applicants seeking to work in Manhattan. Validation studies done for 100% of applicants for the past two years show that 25% - 35% of Kyrgyz SWT students fail to return at the season's end. One would expect that the population of overstays would come from economically disadvantaged areas and lesser known universities, but the vast majority of overstays are students at the most prestigious universities in Kyrgyzstan - American University of Central Asia being the main source. F1 visa applications in Kyrgyzstan have a high (almost 55%) refusal rate. In FY 2008, 50% of overstays changed to F1 status at various community colleges and evaded review by a consular officer regarding their intent to immigrate.

16. Traditionally post experienced low fraud in SWT recruiters until this year. One recruiting company, owned and operated by a Kyrgyz-American citizen, was found to be providing forged student documents to many of their applicants and is now under investigation by Kyrgyz and U.S. authorities. Another company - whose students have yet to be interviewed as of this date - is owned and operated by a Nigerian national and has presented highly suspect job offers

ASTANA 00001015 002.2 OF 003

with each applicant. Students are charged an average of \$1200 - \$1500 US for the privilege of looking for SWT jobs and receiving the necessary DS 2019 form. Post surveyed students the past two years and discovered that these fees do not include airfare and do not provide any refunds other than the MRV fee should students be denied a visa. Considering that a "good" salary in Bishkek is \$500 a month, SWT fees represent a huge burden for parents and students. Last year, post refused an estimated 32.5% of SWT applicants and has refused 40.7% of SWT applicants this year to date.

17. COMMENT: Kyrgyzstan occupies a unique place in SWT programs for the region. As remarked in a recent Central Asian Fraud Conference: "It's not [as economically depressed as] Tajikistan but it's certainly no Kazakhstan either." Post has found only one reliable recruiter amongst the eight companies currently operating. The program is advertised to students as a quick way to earn thousands of dollars in a short time. Post has seen little oversight of the U.S. recruiting companies over their local offices. Post raised concerns over the high SWT costs for such a poor country, but U.S. companies replied that fees are determined by the local offices at their discretion. Given the relatively high rate of overstays, post is forced to devote more resources and interview time to this program. SWT represents almost 30% of post's annual visa workload and is processed in a mere two or three months placing added burdens on a small, one-officer section. Given the limitations of one officer interviewing all 900+ applicants, not all intending immigrants will be detected. The ability of SWT students to change to F1 status only encourages Kyrgyz students not to return at the end of the summer as they pursue their dreams of living in America. Thus, what is intended as a summer work and travel program is viewed by many prospective Kyrgyz participants as a summer work and stay for study program.

TAJIKISTAN - GROWING SLOWLY, MAYBE MORE NEXT YEAR

18. This current SWT season, Dushanbe received 136 applications from

six different recruiting agencies. Of these, 121 visas were granted while 15 were refused. The number of applicants is only slightly higher than the 110 applications received last year, the first year for Summer Work and Travel in Tajikistan. The overstay rate from the 2008 program was 11% based on a validation study conducted as of November 2008.

¶9. In the beginning of this calendar year, Dushanbe expected a dramatic increase in number of SWT applicants based on the predictions of recruiting agencies. However, closer to the dates of visa interviews it became clear that the number of applicants was only slightly more than last year. Representatives explained that many students expressed their interest in participation, but far fewer actually ended up applying for the program, possibly a reflection of difficult economic circumstances in the country that could make upfront costs prohibitive. There may also have been issues related to facilitating agencies receiving DS2019s in a timely way (something post intends to check into) which caused agencies to end recruiting earlier than expected.

¶10. To address fraud concerns, the consular section instituted a requirement that all SWT agencies submit documents at least one week in advance of the interview. This allows the Fraud Prevention Unit (FPU) time to prescreen applications and supporting documents and detect trends which are difficult to see on the visa line. Post was strict with the English language requirement both in 2008 and 2009. As the overall economic situation in Tajikistan continues to deteriorate, there is concern that SWT will be used as a means to seek a better economic opportunities. Post did notice some increase in number of SWT applicants from poor regions of Tajikistan this year.

¶11. In an effort to get a message to the participants that the first point of contact for them should be the U.S. sponsor if there are difficulties, Post developed a SWT handout which described rules and policies of the program and included Tajik Embassy contact information in the U.S. Handouts were distributed to all issued applicants.

¶12. Sizable groups of SWT applicants from Tajikistan were placed in the same jobs, including pedicab drivers in San Diego, fish factory workers in Alaska, and cleaning staff in a particular hotel in the Outer Banks. This leads the consular officer to wonder whether it is a true SWT experience if students tend to remain with and depend heavily on their friends from their home country. Nevertheless the overall caliber of applicants seemed to have improved from the previous year, including that of the more rural candidates. Post plans to meet again with facilitating agencies and to conduct another SWT validation study during this second year of the program to gain insight into how successfully - or not - the program is

ASTANA 00001015 003.2 OF 003

working in the poorest of the 'stans.

TURKMENISTAN - A UNIQUE PLACE

¶13. Citizens of Turkmenistan applying for the SWT program present a unique challenge to adjudicators since so many Turkmen citizens study abroad: they are either applying where they study, making it difficult to evaluate their ties to Turkmenistan, or return to Turkmenistan solely to apply for the visa, making it difficult to evaluate their academic credentials. Of those who apply in Ashgabat, many have recent refusals in the country where they are studying, and others assume that their chances are better applying in their home country.

¶14. Ashgabat saw two applicants in summer 2009, and issued both. One is studying in Turkey who had traveled to Australia in the past on a similar program (and whose family is well-established). The second studies in Ukraine and was refused in Kyiv prior to her application in Ashgabat. This applicant benefited from excellent CCD notes from Kyiv that attested to her academic credentials. In the context of Turkmenistan, her family situation was significant enough to overcome 214(b), but this would have been nearly

impossible for a consular officer in Ukraine to determine, lacking the local context. Post plans to follow-up with both students once the program is over.

¶15. In the summer of 2007, issued five SWT visas. All five successful applicants were studying in Turkey. One of them overstayed, and one of them did not complete the program, rather, he returned to Turkey because "he did not like the United States." In the summer of 2008, post interviewed nine SWT applicants, issuing four of them. Post did not conduct a validation study after the 2008 season. Again, all applicants were studying in Turkey at the time of their application.

UZBEKISTAN - IMPROVING NON-RETURN RATE

¶16. Tashkent issued 226 SWT visas in 2009, the same number as in ¶2008. Refusal rates also remained steady at about 45%. Post's validation study of the 2008 program confirmed an overstay rate of 13 percent, down slightly from 17 percent in 2007, and down significantly from 43 percent in 2006, despite more issuances for ¶2008. These figures suggest that post has been doing a more effective job of screening and issuing qualified SWT applicants.

¶17. Tashkent's ability to conduct SWT outreach is limited due to local government roadblocks, suspicion of US travel on the part of university officials, and a history of fraud among local SWT facilitators. We have conducted some outreach through presentations at the Embassy and one local university. However, most university officials do not wish to engage with the US embassy on this topic. In fact, students themselves have expressed that they do not inform university officials and at times even attempt to conceal their participation in the program for fear of repercussions following their return from the US.

¶18. Additionally, post lacks contacts with reliable, proven SWT facilitators. The local SWT companies open and close frequently; therefore cultivating these contacts is currently not feasible. Likewise a history of fraud among several facilitators makes it more difficult to engage with unproven facilitators.

¶19. In the current year due to the economic situation in the US, Tashkent's adjudicating officers have been even more discerning than last year. We learned during a panel of SWT returnees from last year that getting a second or third job during the program is not uncommon. For many Uzbek students, this program is not only a way to travel, but also a means to make money to bring home funds to their families. While we do not have the final figures yet for issuances this year, we were attempting to be more strict on the financial ties this year and most likely our refusal rate will reflect these higher standards.

¶20. Almaty would like to thank Joe Chamberlain in Ashgabat, John Lankenau in Astana, Valerie Chittenden in Bishkek, Elisabeth Wilson in Dushanbe and Cynthia Day in Tashkent for their contributions.

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